

REMARKS

Claims 1-40 are pending.

The final Office Action mailed August 10, 2005 rejected claims 1-40 as obvious under 35 U.S.C. § 103(a) based on *Crawford* (U.S. 6,014,651) in view of *Elsbree* (U.S. 6,834,388). Applicants respectfully traverse the rejection of all pending claims, and requests reconsideration of the claims.

The rejection of claims 1-40 is respectfully traversed because *Crawford* and *Elsbree* neither teach nor suggest the features of the claims. More particularly, independent claims 1, 20, and 40 each recite **software objects extended “from general-purpose software objects” in “the web tier or the application tier” to support procurement of “the telecommunications offerings on-line.”**

For example, independent claim 1 recites, “A system for providing software integration for **on-line procurement of telecommunications offerings**, comprising: **a web tier** configured to receive a request or a user action from a web server; and **an application tier coupled to the web tier** and configured to perform order management, online ordering or user management functions, wherein **the web tier or the application tier includes software objects extended from general-purpose software objects to support procurement of the telecommunications offerings on-line** and custom software objects created to support procuring of the telecommunications offerings on-line.” Independent claim 20 recites, “A method for providing software integration for **on-line procurement of telecommunications offerings**, comprising: receiving a request or a user action from a web server **in a web tier**; performing order management, online ordering or user management functions **in an application tier**; **extending software objects from general-purpose software objects** in the web tier or the application tier **to support procuring of the telecommunications offerings on-line**; and creating custom software objects in the web tier or the application tier to support the procurement of the telecommunications offerings on-line.” Independent claim 40 recites, “A system for providing software integration for **on-line procurement of telecommunications offerings**, comprising: means for receiving a request or a user action from a web server **in a web tier**; means for performing order management, online ordering or user management functions **in an application**

**tier**; means for **extending software objects from general-purpose software objects** in the web tier or the application tier **to support procuring of the telecommunications offerings on-line**; and means for creating custom software objects in the web tier or the application tier to support the procurement of the telecommunications offerings on-line.”

In stark contrast, *Crawford* (per “FIELD OF THE INVENTION”, col. 1: 10-19) is directed to providing an on-line service that supplies **automated information processing services** to computer users for a fee. The automated information processing services include, for example, an on-line service that allows remote computer users to connect on-line to computer devices (e.g., “virtual” disks) and access them to do such things as run computer software from them. The Office Action (p. 2) contends that the “web tier” recited by claim 1 is taught by *Crawford* at col. 27: 48-54. However, the cited portion of *Crawford* states:

Every time a drive is mounted on one system (including virtual disks mounted on the replica server 160), the drive needs to be configured (mounted) as a remote disk on the other computer. The Replica Server On-line Session Control process sends and receives configuration requests to cause drive mounts and dismounts on both computers.

The Office Action (p. 3) further contends that the “application tier coupled to the web tier” recited by claim 1 is taught by *Crawford* at col. 16: 57-65 and col. 46: 62 – col. 47: 14. However, at col. 16: 57 - col. 17: 5, *Crawford* states:

FIG. 4 shows that data link 150 may comprise up to three different “layers” of connection: the first layer or sub-link connects host computer 104 to switching station 124a; the second “layer” connects switching station 124a to switching station 124b; and the third “layer” connects switching station 124b to a customer computer 50. A customer may connect the on-line service system 100 by many different methods. These methods may evolve as advances in telecommunications become available. For example, each of the various layers may comprise any of ISDN link, LAN/WAN connect, a “front end controller,” another computer, a telephone company connection, a direct connection, a fiber optic link, a cable television link, cellular link, a satellite link, a radio frequency link and/or a PDN connection. The three layers can also comprise varying cable mediums and software bridges, gateways, routers and/or emulations.

At col. 46: 62 – col. 47: 14, *Crawford* discusses host computer 104 beginning a host task request 912 to manage host based requests on behalf of customers, which may be signaled or responded to by generating requests to replica computer 160. Once all of these tasks are in place, host computer 104 enters a loop where it is constantly checking and waiting for connects from customer computers 50 and off-line replica computer 160 in order to begin on-line sessions and/or off-line replica computer 160 sessions. Thus, *Crawford* fails to suggest or disclose any type of **“on-line procurement of telecommunications offerings.”**

*Elsbree* fails to cure the deficiencies of *Crawford* in this regard. Although the Office Action fails to accurately track the recited language of claim 1, the Office Action (p. 3) apparently correctly acknowledges that *Crawford* does not teach “wherein the web tier or the application tier includes software objects extended from general-purpose software objects to support procurement of the telecommunications offerings on-line and custom software objects created to support procuring of the telecommunications offerings on-line” as recited by claim 1, but contends that this feature is taught by *Elsbree* at col. 6: 12-39.

However, *Elsbree* (per col. 1: 14-16) is directed to development, creation, and use of software for process control, specifically ActiveX controls that are OPC compliant. *Elsbree* (per col. 2: 1-8) is concerned with a software development toolkit to ease the task of connecting a computer and a machine to allow them to communicate according to a standard communication protocol for process control. The toolkit allows a user to produce the necessary real-time interactive control and communication software objects, such as ActiveX controls, that are used in connecting and interoperating the control computer and the machines. At col. 6: 12-39, *Elsbree* states:

FIG. 3 depicts a schematic of the internal organization of the client-side of process control software objects which may be created pursuant to the invention. One or more real-time interactive control and communication software objects 40

are inserted into an application software object called a container 42. The container 42 is software which is designed to operate with objects which have interactive capabilities. In one embodiment, the real-time interactive control and communication software objects 40 are ActiveX control objects, and the container 42 is Microsoft Visual Basic. In other embodiments the container 42 may be Microsoft Internet Explorer which runs an HTML page, or ICONICS GraphWorX32, or Netscape Communicator which run an HTML page. Internet Explorer is a web browser manufactured by Microsoft Corporation, Netscape Communicator is a web browser manufactured by the Netscape Corporation, and GraphWorX32 is a software product of ICONICS Inc. used for Human/Machine Interfaces ("HMI"). A real-time interactive control and communication software object 40 may give rise to one or more exemplars of the Active X control, which are called instances 41. As is familiar to those of ordinary skill in the art, these instances 41 are embedded into the container 42. Embedding as used herein denotes particularly making the real-time interactive control and communication software object 40 functional as a control through the intermediation of the container application 42, and includes the possible utilization of one or more additional software files.

There is no mention by *Elsbree* of any type of **“on-line procurement of telecommunications offerings.”** Moreover, neither *Crawford* nor *Elsbree*, nor any combination thereof, discloses or suggests “the web tier or the application tier includes software objects extended from general-purpose software objects **to support procurement of the telecommunications offerings on-line**” as recited by claim 1.

The Office Action (pp. 3-4) asserts, “It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of *Elsbree* and *Crawford* because both deal with software integration for telecommunication services. Furthermore, the teachings of *Elsbree* to allow software objects from the general-purpose software objects to support procurement of the telecommunications offerings online would improve the functionality of *Crawford*’s system by allowing the objects to carry additional information for product collection and distribution.” This assertion by the Office Action has no technical merit, as neither reference has anything to do with “telecommunications services,” much less any type of **“on-line procurement of telecommunications offerings,”** and furthermore, there is no apparent

motivation or reasoning shown for *Crawford's* system to allow "objects to carry additional information for product collection and distribution" as asserted by the Office Action. Therefore, the rejection should be withdrawn. For reasons similar to those discussed with regard to claim 1, the rejection of independent claims 20 and 40 should also be withdrawn.

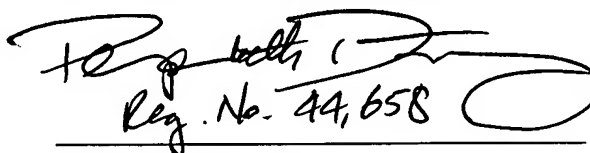
Dependent claims 2-19 and 21-39 are allowable for at least the same reasons as their respective independent claims, and are separately patentable on their own merits. For example, dependent claim 7 recites, "wherein the extended software objects include software objects extended from software objects included in a generic architecture, extended to support ordering telecommunications services or products," which the Office Action (p. 5) contends is taught by *Crawford* at col. 71: 33 – col. 72: 23. However, the cited portion of *Crawford* relates to distributing software for an on-line computer system to a remote customer computer system, and to an online computer system providing commercial software distribution services to remote customer computers, which is different from any type of **"on-line procurement of telecommunications offerings"** and software objects "extended to support ordering telecommunications services or products" as recited by claim 7. Therefore, the rejections of all pending claims should be withdrawn.

Therefore, the present application overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8501 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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10/11/05  
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